

facilities for highway public transportation service, need for additional highway facilities or adjustment of existing facilities to accommodate such service, and appropriate funding of such additional highway facilities and to report to Congress his findings and recommendations not later than Jan. 1, 1972.

#### AUTHORIZATION OF ADDITIONAL APPROPRIATIONS

Section 105 of Pub. L. 89-564 authorized to be appropriated the additional sum of \$10,000,000 for the fiscal year ending June 30, 1967, \$20,000,000 for the fiscal year ending June 30, 1968, and \$25,000,000 for the fiscal year ending June 30, 1969 for the purpose of carrying out sections 307(a) and 403 of this title.

#### AVAILABILITY OF REPORTS OF RESEARCH PRODUCTS TO THE PUBLIC

Completed reports on research projects, demonstration projects, and other related activities conducted under this section and section 403 of this title to be made available to the public in a manner which does not identify individuals, see section 106 of Pub. L. 89-564, set out as a note under section 403 of this title.

#### ALASKA HIGHWAY STUDY

Section 13 of Pub. L. 87-866, as amended by Pub. L. 97-449, §2(a), Jan. 12, 1983, 96 Stat. 2439, provided that:

“(a) The Secretary of Transportation, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Transportation, engineering studies, estimates, and planning surveys relative to connecting Alaskan roads with Canadian roads at the International boundary.

“(b) On or before May 15, 1964, the Secretary of Transportation shall submit a report to the Congress which shall include—

“(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

“(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and connection of such roads with Canadian roads at the International boundary; and

“(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

“(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Transportation may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

“(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (b) and (c).

“(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$800,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) hereof.”

#### MILEAGE STUDY OF SYSTEM OF INTERSTATE AND DEFENSE HIGHWAY FOR ALASKA AND HAWAII

Pub. L. 86-342, title I, §105, Sept. 21, 1959, 73 Stat. 612, directed Secretary of Commerce to make a study of need for extension of National System of Interstate and Defense Highways [now Dwight D. Eisenhower System of Interstate and Defense Highways] within States of Alaska and Hawaii, and report results of such study to Congress within ten days subsequent to Jan. 4, 1960. The report was required to include recommendations as

to approximate routes and mileages thereof which should be included in such system within those States.

#### TESTS TO DETERMINE MAXIMUM DESIRABLE DIMENSIONS AND WEIGHTS FOR VEHICLES

Section 108(k) of act June 29, 1956, ch. 462, title I, 70 Stat. 381, as amended by Pub. L. 85-823, §2, Aug. 28, 1958, 72 Stat. 983, directed the Secretary of Commerce to take all action possible to expedite the conduct of a series of tests planned or conducted by the Highway Research Board of the National Academy of Sciences, in cooperation with the Bureau of Public Roads, the several States, and other persons and organizations, for the purpose of determining the maximum desirable dimensions and weights for vehicles operated on the Federal-aid highway systems, including the Interstate System, and, after the conclusion of such tests, but not later than January 3, 1961, to make recommendations to the Congress with respect to such maximum desirable dimensions and weights.

#### INVESTIGATION AND REPORT TO ASSURE AN EQUITABLE DISTRIBUTION OF THE TAX BURDEN

Section 210 of act June 29, 1956, ch. 462, title II, 70 Stat. 401, as amended by Pub. L. 85-823, §1, Aug. 28, 1958, 72 Stat. 983, directed Secretary of Commerce, in cooperation with other Federal officers and agencies (particularly Interstate Commerce Commission) and with State highway departments, to make a study and investigation of effects on design, construction, and maintenance of Federal-aid highways of (A) use of vehicles of different dimensions, weights, and other specifications, and (B) frequency of occurrences of such vehicles in traffic stream, the proportionate share of design, construction, and maintenance costs of the Federal-aid highways attributable to each class of persons using such highways and the benefits derived from use of such highways, and any direct and indirect benefits accruing to any class which derives benefits from Federal-aid highways, in addition to benefits from actual use of such highways, which are attributable to public expenditures for such highways and required final report to be made no later than Jan. 3, 1961.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 103, 104, 115, 135, 144, 151, 157 of this title; title 49 sections 111, 41714.

#### § 308. Cooperation with Federal and State agencies and foreign countries

(a) The Secretary is authorized to perform by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Government agencies, cooperating foreign countries, and State cooperating agencies, and reimbursement for such services, which may include depreciation on engineering and roadbuilding equipment used, shall be credited to the appropriation concerned.

(b) Appropriations for the work of the Federal Highway Administration shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment for distribution of projects under the supervision of the Federal Highway Administration, or for sale or distribution to other Government agencies, cooperating foreign countries, and State cooperating agencies, and the cost of such supplies and materials or the value of such equipment, including the cost of transportation and handling, may be reimbursed to current applicable appropriations.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 914; Pub. L. 93-87, title I, §152(5), Aug. 13, 1973, 87 Stat. 276.)

## AMENDMENTS

1973—Subsec. (b). Pub. L. 93-87 substituted “Federal Highway Administration” for “Bureau of Public Roads” in two places.

### § 309. Cooperation with other American Republics

The President is authorized to utilize the services of the Federal Highway Administration in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics (51 Stat. 152), cooperating with several governments, members of the Organization of American States, in connection with the survey and construction of the Inter-American Highway, and for performing engineering service in the other American Republics for and upon the request of any agency or governmental corporation of the United States. To the extent authorized in appropriation acts, administrative funds available in accordance with subsection (a) of section 104 of this title shall be available annually for the purpose of this section.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 914; Pub. L. 93-87, title I, §152(5), Aug. 13, 1973, 87 Stat. 276.)

## AMENDMENTS

1973—Pub. L. 93-87 substituted “Federal Highway Administration” for “Bureau of Public Roads”.

## PAN AMERICAN HIGHWAY STUDY

Pub. L. 104-59, title III, §359(a), Nov. 28, 1995, 109 Stat. 626, provided that:

“(1) STUDY.—The Secretary shall conduct a study on the adequacy of and the need for improvements to the Pan American Highway.

“(2) ELEMENTS.—The study shall include, at a minimum, the following elements:

“(A) Findings on the benefits of constructing a highway at Darien Gap, Panama and Colombia.

“(B) Recommendations for a self-financing arrangement for completion and maintenance of the Pan American Highway.

“(C) Recommendations for establishing a Pan American highway authority to monitor financing, construction, maintenance, and operations of the Pan American Highway.

“(D) Findings on the benefits to trade and prosperity of a more efficient Pan American Highway.

“(E) Findings on the benefits to United States industry resulting from the use of United States technology and equipment in construction of improvements to the Pan American Highway.

“(F) Findings on environmental considerations, including environmental considerations relating to Darien Gap.

“(3) REPORT.—Not later than 2 years after the date of the enactment of this Act [Nov. 28, 1995], the Secretary shall transmit to Congress a report on the results of the study.”

### § 310. Civil defense

In order to assure that adequate consideration is given to civil defense aspects in the planning and construction of highways constructed or reconstructed with the aid of Federal funds, the Secretary of Transportation is authorized and directed to consult, from time to time, with the Federal Civil Defense Administrator relative to the civil defense aspects of highways so constructed or reconstructed.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 914; Pub. L. 93-87, title I, §152(3), Aug. 13, 1973, 87 Stat. 276.)

## AMENDMENTS

1973—Pub. L. 93-87 substituted “Secretary of Transportation” for “Secretary of Commerce”.

## TRANSFER OF FUNCTIONS

Office of Federal Civil Defense Administrator, referred to in text, abolished and functions thereof transferred to President by Reorg. Plan No. 1 of 1958, set out as a note under section 5195 of Title 42, The Public Health and Welfare. The Plan also established a new agency in the Executive Office of the President, known as the Office of Defense and Civilian Mobilization to be headed by a Director. Office redesignated as the Office of Civil and Defense Mobilization by act Aug. 26, 1958 (72 Stat. 861; 42 U.S.C. 5195 note). Civil defense functions transferred to Secretary of Defense by Executive Order No. 10952 of July 20, 1961, formerly set out as a note under section 2271 of Title 50, Appendix, War and National Defense, and remaining functions redesignated Office of Emergency Planning by act Sept. 22, 1961 (75 Stat. 630; 42 U.S.C. 5195 note). Office redesignated Office of Emergency Preparedness by act Oct. 21, 1968 (82 Stat. 1194; 42 U.S.C. 5195 note). Office of Emergency Preparedness including office of Director abolished and functions thereof transferred to President by Reorg. Plan No. 1 of 1973, set out as a note under section 5195 of Title 42.

### § 311. Highway improvements strategically important to the national defense

Funds made available under subsection (a) of section 104 of this title may be used to pay the entire engineering costs of the surveys, plans, specifications, estimates, and supervision of construction of projects for such urgent improvements of highways strategically important from the standpoint of the national defense as may be undertaken on the order of the Secretary and as the result of request of the Secretary of Defense or such other official as the President may designate. With the consent of a State, funds made available under subsection (b) of section 104 of this title may be used to the extent deemed necessary and advisable by the Secretary to carry out the provisions of this section.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 915.)

#### NATIONAL DEFENSE HIGHWAYS LOCATED OUTSIDE UNITED STATES

Pub. L. 102-240, title I, §1006(h), Dec. 18, 1991, 105 Stat. 1927, provided that:

“(1) RECONSTRUCTION PROJECTS.—If the Secretary determines, after consultation with the Secretary of Defense, that a highway, or portion of a highway, located outside the United States is important to the national defense, the Secretary may carry out a project for the reconstruction of such highway or portion of highway.

“(2) FUNDING.—The Secretary may make available, from funds appropriated to construct the National System of Interstate and Defense Highways, not to exceed \$20,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, and 1996 to carry out this subsection. Such sums shall remain available until expended.”

### § 312. Detail of Army, Navy, and Air Force officers

The Secretary of Defense, upon request of the Secretary, is authorized to make temporary details to the Federal Highway Administration of officers of the Army, the Navy, and the Air Force, without additional compensation, for technical advice and for consultation regarding highway needs for the national defense. Travel